

KIRBY AISNER & CURLEY LLP
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

HOME STRATEGY INC.,

Chapter 11
Case No. 1-22-41377

Debtor.

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**APPLICATION TO EMPLOY AND RETAIN KIRBY AISNER & CURLEY, LLP
AS ATTORNEYS FOR DEBTOR EFFECTIVE AS OF JUNE 15, 2022**

**TO: THE HONORABLE JUDGE
UNITED STATES BANKRUPTCY JUDGE**

HOME STRATEGY INC., the above captioned Debtor and Debtor-in-Possession (the “Debtor”), files this Application (the “Application”) seeking entry of an order authorizing the Debtor’s retention of Kirby Aisner & Curley, LLP (“KAC”) as its attorneys. In support of its Application, the Debtor respectfully alleges as follows:

JURISDICTION

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. Sections 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. Section 157(b)(2). Venue is proper pursuant to 28 U.S.C. Sections 1408 and 1409.

2. The statutory basis for relief requested herein in Section 327(a) of 11 U.S.C. §§101, et seq. (the “Bankruptcy Code”) and Rules 2014(a) and 6003 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

BACKGROUND

3. On June 15, 2022 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code (the “Chapter 11 Case”).

4. The Debtor has continued in possession of its property and the management of its business affairs as a debtor-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code.

5. No trustee, examiner, or statutory committee has been heretofore appointed in this Chapter 11 Case.

6. The Debtor is the owner of a multi-unit residential property located at 119-31 197th Street, St. Albans, NY 11412.

RELIEF REQUESTED

7. The Debtor seeks to retain KAC as its attorneys to prosecute its Chapter 11 Case and all related matters, effective as of June 15, 2022. Accordingly, the Debtor requests entry of an order pursuant to Bankruptcy Code § 327(a) and Bankruptcy Rules 2014(a) authorizing the Debtor to employ and retain KAC as its attorneys to perform services necessary in the Chapter 11 Case.

8. The professional services KAC will render to the Debtor include the following:
- a. To give advice to the Debtor with respect to its powers and duties as Debtor-in-Possession and the continued management of its property and affairs.
 - b. To negotiate with creditors of the Debtor and work out a plan of reorganization and take the necessary legal steps in order to effectuate such a plan including, if need be, negotiations with the creditors and other parties in interest.
 - c. To prepare the necessary answers, orders, reports and other legal papers required for the Debtor’s protection from its creditors under Chapter 11 of the Bankruptcy Code.
 - d. To appear before the Bankruptcy Court to protect the interest of the Debtor and to represent the Debtor in all matters pending before the Court.

- e. To attend meetings and negotiate with representatives of creditors and other parties in interest.
- f. To advise the Debtor in connection with any potential refinancing of secured debt.
- g. To represent the Debtor in connection with obtaining post-petition financing, if necessary.
- h. To take any necessary action to obtain approval of a disclosure statement and confirmation of a plan of reorganization.
- i. To perform all other legal services for the Debtor which may be necessary for the preservation of the Debtor's estate and to promote the best interests of the Debtor, its creditors and its estate.

9. The Debtor has selected KAC for the reason that KAC has extensive experience in proceedings before this Court and is well suited to represent the Debtor in the instant proceedings. The attorneys of KAC have been actively involved in many Chapter 11 cases and have represented many Chapter 11 debtors.

10. To the best of the Debtor's knowledge, KAC does not hold or represent any interest adverse to the Debtor's estate, KAC is a "disinterested person" as defined in Bankruptcy Code §101(14), and KAC's employment is necessary and in the best interest of the Debtor and its estate as stated in the annexed declaration of Dawn Kirby, Esq., which is annexed hereto as **Exhibit "A"**.

11. Subject to Court approval, compensation will be paid to KAC for services provided on an hourly basis plus reimbursement of actual, necessary expenses incurred. KAC's 2022 hourly rates for matters related to these Chapter 11 proceedings are as follows:

Partners	\$450-550
Associates	\$295
Paraprofessionals	\$150

12. The hourly rates above are subject to periodic adjustment to reflect economic and other conditions. The hourly rates above are standard, if not below standard rates for work of this

nature. These rates are designed to fairly compensate KAC for the work of its attorneys and paralegals and to cover fixed routine overhead expenses.

13. The KAC Firm received pre-petition payments from the Debtor in conjunction with the filing of this Chapter 11 Case in the amount of \$27,000 (which includes the filing fee of \$1,738). After application of the pre-petition retainer to contemporaneous billings, the net pre-petition retainer on the Petition Date is \$26,107.50. KAC has not received any other retainer payments in connection with its representation of the Debtor in this Chapter 11 Case. KAC will be paid for the legal services rendered upon application duly filed and approved by this Court pursuant Bankruptcy Code § 330.

WHEREFORE, the Debtor respectfully request entry of the Order annexed hereto as **Exhibit “B”** authorizing him to employ and retain Kirby Aisner & Curley, LLP to represent it in this proceeding under Chapter 11 of the Bankruptcy Code, effective as of June 15, 2022, together with such other and further relief as appears just to this Court, for all of which no previous application has been made.

Dated: Scarsdale, New York
June 15, 2022

HOME STRATEGY INC.

By: /s/ Christopher Humbert
Christopher Humbert, President